

## Chapter 15.24

### SUPPLEMENTAL USE AND SITE DEVELOPMENT REGULATIONS

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**15.24.010 Purpose.** Supplemental use and development regulations set forth additional standards for certain uses within various zoning districts recognizing that certain uses have operating characteristics that require additional regulations to protect the public health, safety and welfare. These supplemental regulations complement the uses permitted in each zoning district, qualify or modify the district site development regulations and provide for specific areas of exception.

**15.24.020 Accessory uses.** Unless otherwise permitted, only one principal structure or use is permitted per lot. Unless otherwise prohibited or restricted, a permitted principal use also allows uses, buildings and structures incidental to the permitted use, if located on the same site or building lot. The accessory use and/or structures or buildings shall not be established or erected prior to the establishment or construction of the principal permitted use of the building, structure or land and shall be subordinate, incidental to and compatible with the character of the principal permitted use.

The following types of accessory uses shall be permitted in residential districts, subject to the site development regulations for the zoning district in which it is located, unless otherwise provided in these regulations:

01. Fencing, subject to Section 15.24.040;
02. Garage sales, limited to six days during any calendar year;
03. Garage, and off-street parking for personal vehicles, subject to Chapter 15.23;
04. Greenhouse, for personal, non-commercial use only;
05. Home occupation, subject to Section 15.24.030;
06. Radio and communications receiving antenna and tower, subject to Section 15.24.080;

07. Swimming pool, including a bath house, tennis court or other recreational facilities commonly accessory to a dwelling and used only by the residents and non-paying guests;
08. Tool, storage shed, gazebo, patio, and similar buildings and structures for personal noncommercial use only;
09. Structures for the shelter of household pets, for personal non-commercial use.

**15.24.030 - Home occupation.** A home occupation shall be subject to the following requirements:

- (1) A home occupation shall be conducted entirely within the dwelling or principal building and may not employ any individuals other than residents of the dwelling;
- (2) Such use shall be incidental and secondary to the residential use of the dwelling and shall not change the residential character;
- (3) No signs, radio, television, newspaper, handbill or other similar types of advertising are permitted linking the address of the premises with the home occupation;
- (4) A home occupation shall be limited to performance of services only and no commodity, shall be sold on the premises other than incidental sales related to the services provided;
- (5) There shall be no exterior storage of equipment, vehicles, trailers, goods\_ or materials used in a home occupation;
- (6) There shall be no indication of offensive noise, vibration, smoke, dust, odors, heat or glare at or beyond the property line;
- (7) Adequate off-street parking for all vehicles, including the residents, customer, client or other business-related visitor vehicles shall be provided at the location where the home occupation is being conducted;
- (8) The following businesses shall not be considered home occupations:
  - a. Repair of any internal combustion engine or vehicle repair, including detailing, painting, body or mechanical or upholstery;
  - b. Vehicle towing and/or wrecking service, storage of motorized vehicles and equipment, including but not limited to automobiles, trucks, recreational vehicles and boats;
  - c. Any other use as determined by the Director, which is not incidental or compatible with residential activities;
- (9) Home occupations shall comply with all applicable municipal, state and federal regulations and licensing requirements."

(Ord. 6128, Sec. 1, 6-13-11)

**15.24.040 Fence regulations.** Fences, including masonry walls, vegetation, ornamental iron, chain link, open wood, solid wood or metal, forming a physical barrier, placed on private property, used for any purpose shall conform to the following requirements:

01. General Requirements For All Zoning Districts.
  - (a) No fence placed on any lot shall project over the property line. No fence or obstruction shall be placed in the public right-of-way.
  - (b) The height of a fence shall be measured from the grade on which the fence is placed.
  - (c) The finished side of any fence shall be directed toward the street right-of-way and adjoining properties.
  - (d) No fence or any other obstruction shall be placed within an equilateral triangle having sides of thirty-five (35) feet each running along the edge of the pavement, or curb if present, of each abutting street. The apex of this triangle shall be at the point of the intersection of the edges of the pavement or curbs of such streets when extended out to a point.
  - (e) No fence shall be placed within three feet of a fire hydrant. No fence shall block visibility or access to a fire hydrant from the street.
02. General Requirements for Open Space/Recreation and Industrial Districts.
  - (a) A fence placed in any yard shall not exceed eight feet in height.
  - (b) In I-2 and I-3 Districts when the parcel is 50 contiguous acres or more, a fence not to exceed 10 feet in height is permitted in the interior, street side and rear yards. In the front yard, the height of the fence shall not exceed 8 feet unless its placement meets the setback requirements for structures. Fencing material for a 10 foot tall fence shall be limited to vinyl coated chain link material with no sharp or pointed projections or barbed wire strands permitted.
  - (c) Barbed wire fences zero to six feet in height are permitted in A-1 and A-2 districts for agricultural uses only.
  - (d) Security fences with sharp or pointed projections or containing barbed wire strands are allowed in the A-2, I-1, I-2, and I-3 districts if placed atop a conforming fence of at least six feet in height, with total fence height not to exceed eight feet.
  - (e) Electrically-charged fences located within the boundaries of a conforming fence are permitted in A-1, A-2, I-1, I-2 and I-3 districts for agricultural uses only.
03. General Requirements for Residential and Commercial Districts.
  - (a) In a front yard or a street side yard, the height of a fence shall not exceed 4 feet, unless its placement meets the setback requirements for principal and accessory structures. Exception: ornamental iron fences located in front or street side yards may exceed four foot in height, but are limited to six feet in overall height.
  - (b) No solid fence shall be placed within a front yard or street side yard which creates a safety hazard by obstructing the clear view of pedestrians or vehicles.
  - (c) In an interior side yard or rear yard, the height of a fence, excepting vegetation fences, shall not exceed six feet. Fences in residential areas proposed to exceed six feet in height shall be reviewed on a

case by case basis by the mayor or designee.

- (d) Security fences with sharp or pointed projections or containing barbed wire strands may be permitted in a C-2 District when placed on top of an otherwise conforming fence, if the following conditions are met:

- (i) The site shall not abut any residential district; and
- (ii) The use shall comply with all requirements for conforming uses and the site development regulations in a C-2 District.

04. Required Fences.

- (a) A fence shall be required where any conforming commercial or industrial use abuts a residential district. The fence shall be provided at the abutting side and rear property lines. A fence shall also be required for any open storage area in an industrial district which blocks all view of the storage area at or beyond the property line. The fence shall be provided by one of the following methods:
  - (i) A wood and/or masonry fence, at least fifty (50) percent opaque, six feet in height;
  - (ii) A vegetation fence capable of providing a substantially opaque barrier and attaining a height of six feet within three years of planting;
  - (iii) A landscaped earth berm with a maximum slope of three to one vertical/horizontal, no more than six feet above the existing grade of the property line separating the zoning districts; or
  - (iv) Any combination of the described methods that achieves a cumulative height of six feet.

- 05. Maintenance. Upon placement of a fence, appropriate measures shall be taken by the fence owner to ensure continued maintenance.

(Ord. No. 5963, Sec. 1, 1/28/08)

**15.24.050 Lighting controls.** Any light used for the illumination of signs, parking areas, swimming pools or for any other purpose shall be arranged in such a manner as to direct the light away from neighboring residential properties and away from the vision of passing motorists and pedestrians.

**15.24.060 Yard exceptions and permitted intrusions into required yards.** The following intrusions may project into required yards to the extent and under the conditions and limitations indicated:

- 01. The following building features may project into the required front yard no more than six feet and into the required side yards no more than three feet, provided that such projections are no closer than three feet to any side yard line:
  - (a) Chimneys and fireplaces;
  - (b) Porches, as defined in Chapter 15.03, platforms and landings which do not extend above the level of the first floor of the building.

02. The following building features may project into the required front yard no more than three feet and into the required side yard no more than three feet, provided that such projections are no closer than three feet to any side yard line:
  - (a) Eaves, cornices, belt courses, leaders, sills, awnings, lintels, gutters, and other similar features.
03. Ramps constructed to make a structure accessible to persons with disabilities may project into the required yard(s) to the extent necessary for access, if, upon review by the mayor or designee, it is determined that the ramp has been designed to minimize the intrusion into the required yard(s) and creates no hazard to the public.

**15.24.070 Height exceptions.** The following types of structures are not subject to the height limitations of this title: chimneys, church spires, cupolas, elevator shafts, fire and hose towers, observation towers and water towers.  
(Ord. No. 5963, Sec. 2, 1/28/08)

**15.24.080 Antenna and tower regulations.** Radio towers, operated by amateur radio operators and other communications devices intended for personal, non-commercial use, may exceed the height limitation of the zoning district in which it is located by not more than 25 percent. The device shall not be located in any required yard of the principal use.

**15.24.090 Front yard exception in residential districts.** The required front yard shall be as stated in each zoning district, except when forty-five percent or more of the frontage on one side of a street between two intersecting streets is improved with buildings and a majority of the improved frontage have front yard setbacks less than those required for that zoning district, then the minimum required front yard setback for new construction shall be the average distance of the improved frontage.

**15.24.100 Rear yard exception in residential districts.** The required rear yard in an irregular lot may be measured as the average horizontal distance between the building and the rear lot line, provided that the closest point of the building to the rear property line shall not be less than sixty (60) percent of the rear yard required by the zoning district.  
(Ord. No. 5323, Sec. 4, May 19, 1997)